

**REMARKS:**

**I. Introduction**

In the Office Action mailed on October 5, 2005, the Examiner rejected claims 1 to 15 and 17 to 20. The present amendment cancels claims 6 and 7, amends claims 1, 8 to 10, 12, 17, 18 and 20, and adds no new claims. Accordingly, claims 1 to 5, 8 to 15, and 17 to 20 are now pending in this application.

**II. Claim Rejections Based on 35 U.S.C. § 102(b)**

The Examiner rejected claims 1 to 9 and 17 under 35. U.S.C. § 102(b) as anticipated by Wengler (US 4,352,707). The Examiner stated that "[a]s for claims 4-9, Wengler teaches the first, second and third heating zones that are concentric circles and have different watt density and the flexible heating elements comprises three heating elements that are connected in series."

Applicant respectfully points out that Wengler teaches a repair device having three heater resistors 48, 49, and 50 that are not electrically connected in series. The three heater resistors 48, 49, and 50 have separate input terminals 52, 53, 54 that are separately connected to an electrical plug 34. Three temperature control units 76, 77 and 78 separately control the power supply to the three heater resistors 48, 49, 50. In contrast, the heater assembly of the present invention includes heating elements that are electrically connected in series so that a single pair of leads connects all of the heating elements to a single power supply. Independent claim 1 has now been amended to include the subject matter of prior claims 6 and 7 which specifically claim the series connection of the heating elements. Independent claims 17 and 18 already specifically claimed the series connection of the heating elements.

Independent claim 1 and claims dependent therefrom are allowable because they each include "wherein the first electric heating element is electrically connected in series with the second electric heating element." No prior art of record reasonably discloses or suggests the present invention as defined by independent claim 1. Reconsideration and withdrawal of the rejection is requested.

Independent claim 17 is allowable because it includes "a plurality of flexible electrical

resistance heating elements electrically connected in series and positioned between the first and second flexible layers." No prior art of record reasonably discloses or suggests the present invention as defined by independent claim 17. Reconsideration and withdrawal of the rejection is requested.

### **III. Claim Rejections Based on 35 U.S.C. § 103(a)**

(a) The Examiner rejected claims 10 and 17 to 20 under 35. U.S.C. § 103(a) as unpatentable over Wengler (US 4,352,707) in view of Higgins (5,270,519).

Claim 10 is allowable as depending from allowable claim 1 as discussed above and independently allowable for novel and nonobvious matter contained therein. Reconsideration and withdrawal of the rejection is requested.

Independent claim 17 is allowable as discussed. Reconsideration and withdrawal of the rejection is requested.

Independent claim 18 and claims dependent therefrom are allowable because they each include "first, second, third, and fourth flexible electrical resistance heating elements electrically connected in series to a single power supply and positioned between the first and second flexible layers." No prior art of record reasonably discloses or suggests the present invention as defined by independent claim 18. Reconsideration and withdrawal of the rejection is requested.

(b) The Examiner rejected claims 11 to 15 under 35. U.S.C. § 103(a) as unpatentable over Wengler (US 4,352,707) in view of Lowery et al. (3,85,373).

Claims 11 to 15 are allowable as depending from allowable claim 1 as discussed above and independently allowable for novel and nonobvious matter contained therein. Lowery discloses a heating pad 10 having a silicone rubber body 13. Molded into the lower surface of the body 13 is a laminate of a heating element 15 bonded to a silicone rubber/fiberglass substrate 16. The substrate 16 serves as both a support for the heating element and as electrical insulation therefore. Column 3, lines 1 to 6. Note that the substrate 16 is located on the bottom of the heating pad 10. See Fig. 4. In this location, the substrate 16 is configured to

act as electrical insulation rather than thermal insulation. It would defeat the purpose of the heating pad 10 to place thermal insulation between the heating element 15 and the item to be heated 11. The present invention places a thermal insulation layer on the top side, that is the side opposite the vacuum port and the item to be heated, in order to reduce the amount of heat lost in a direction away from the item to be heated. Additionally, the substrate 16 of Lowery et al. is bonded/molded in place rather than attached with a removable fastener as claimed by dependent claim 14. Reconsideration and withdrawal of the rejection is requested.

#### IV. CONCLUSION

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is found that that the present amendment does not place the application in a condition for allowance, Applicant's undersigned attorney requests that the Examiner initiate a telephone interview to expedite prosecution of the application.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-2326.

Respectfully submitted,



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February 3, 2006

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